

<b>NEVADA DEPARTMENT OF CORRECTIONS</b>	<b>SERIES 200 SUPPORT SERVICES</b>	<b>SUPERSEDES: AR 258 (09/09/02)</b>
<b>ADMINISTRATIVE REGULATIONS MANUAL</b>	<b>ADMINISTRATIVE REGULATION 258 INMATE FISCAL PROCEDURES</b>	<b>EFFECTIVE DATE: 12/17/03</b>

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### PURPOSE

To describe and establish fiscal guidelines for administration of inmate work programs, inmate accounts, inmate payrolls, inmate income and transfer of inmate funds, balances in released inmate's accounts and release assistance funds.

## **AUTHORITY**

NRS 209.131 209.221, 209.225, 209.241, 209.246, 209.247, 209.2475, 209.459, 209.461, 209.4615, 209.463, 209.511.

## **RESPONSIBILITY**

The institutional Wardens/Facility Managers are responsible for the administration of inmate work programs.

Inmate Services Division is responsible for administration of fiscal procedures to provide for appropriate deductions from inmate monies, applicability to individual inmate accounts and all other associated inmate-banking services.

## **DEFINITIONS**

**BRASS SLIP** – A brass slip is the Inmate Account Transaction Request, Form DOC-509, by which inmates can access their individual account in the Prisoners Personal Property Fund (PPF).

**CONFISCATED CASH** – Any unauthorized cash found on an inmate incarcerated in the Nevada Department of Corrections.

**DEPARTMENT** – The Nevada Department of Corrections.

**DEPARTMENT CHARGE ACCOUNT** – The account that various inmate charges are posted to when the inmate has non-sufficient funds in their PPF account.

**DEPARTMENT CHARGES** – Charges incurred by an inmate with non-sufficient funds in their individual account in the PPF but ultimately reimbursed to the Inmate Welfare Fund by that inmate through deductions from later deposits and/or payrolls.

**DEPARTMENT 2 (DEPT2) ACCOUNT** – The account in which all-legal copies are posted for monitoring compliance with the legal copy limit.

**DEPOSITS FROM SOURCES OTHER THAN WAGES** – Money orders and cashiers checks deposited on behalf of an inmate that are generally from outside of the institution and sent from friends and relatives.

**GROSS WAGES BELOW MINIMUM WAGE** – Wages received by the inmate prior to any deductions made by the Department of Corrections below the Federally established minimum wage.

**GROSS WAGES EQUAL TO OR ABOVE MINIMUM WAGE** – Wages received by the inmate prior to any deductions at or above the Federally established minimum wage.

**INMATE WELFARE FUND (IWF)** – A budget account within a special revenue fund consisting of transfers from the Offender's Store Fund and other incidental revenues.

**LOCKBOX** – The main means by which inmates incarcerated in the Nevada Department of Corrections receives funds from family and friends through a central post office box.

**NEGOTIABLE INSTRUMENT** – Anything used for barter, trade or sale.

**OFFENDERS STORE FUND (OSF)** – The OSF is a special revenue fund consisting of revenues generated by proceeds from sales at the inmate stores and coffee shops, hobbycraft sales, vending machine sales and commissions from pay phones.

**PRISONER'S PERSONAL PROPERTY FUND ACCOUNT** – The Prisoners Personal Property Fund Account (PPF) is a trust fund created for the deposit of all monies received by the inmates during incarceration. The individual inmate's account within the PPF is divided into three parts: (a) Trust Account (b) Trust 2 (Trus2) Account and (c) Savings Account.

**SAFEKEEPERS** – A general term to describe any inmate accepted from another jurisdiction.

**TRUST ACCOUNT** – This account is the inmate's spending account. Monies in this account consist primarily of deposits and payrolls. Charges incurred by the inmate may be deducted from this account if the inmate has sufficient funds to cover the charge.

**TRUST 2 ACCOUNT (TRUS2 ACCOUNT)** – This account is the inmate's money to do with, as they want as long as it is legal and within the guidelines of the Department of Corrections rules and regulations. Monies posted to this account, during the inmate's incarceration, are not subject to deductions or any charges incurred by the inmate. However, when an inmate releases/paroles from the Department of Corrections, this money is subject to any debts still owing to the Department of Corrections at the time of release/parole.

**SAVINGS ACCOUNT** – The Savings Account is money not accessible to the inmate unless the inmate is a boarder from another state. This money is set aside for the eventual release or death of the inmate.

## **APPLICABILITY**

This regulation applies to all staff and inmates of the Department.

## **PROCEDURES**

### **258.01 PRISONERS' PERSONAL PROPERTY FUND (PPF)**

1.1 The Prisoners' Personal Property Fund is divided into three parts as follows:

1.1.1 Inmates' individual trust account in the PPF.

1.1.1.1 From the PPF account, the Director/designee may permit withdrawals for immediate expenditures by the inmate for personal needs and shall pay over any remaining balance in the account upon the release or parole of the inmate.

1.1.1.2 Upon the death of an inmate any remaining funds, after appropriate deductions have been made, should be paid as designated in the Department's Administrative Regulation 420.

1.1.1.3 Funds coming in from wages earned prior to death will be subject to department charges and other deductions. Funds received after death from friends and family can be returned to the sender.

1.1.1.4 Any remaining balance in the PPF account upon release or parole is subject to appropriate deductions as detailed in department rules and regulations and state and federal statutes.

1.1.2 Trust 2 account is set up to receive any monies exempted from deduction. These monies are for the inmate's personal use.

1.1.3 Savings account. The Director may designate a percentage to be taken from monies deposited into the inmate's personal property fund account to be placed in the inmate's individual savings account. This account is set up for the eventual release of the inmate or to defray costs incurred by the department in the death of the inmate.

1.1.3.1 Once the balance, determined by the Director, is reached and maintained, the savings deduction will no longer be processed from any source of monies received.

1.1.3.2 There will be no withdrawals from savings permitted during incarceration without the approval of the Director.

1.1.3.3 Monies remaining in the savings account, upon release/parole, shall be paid to the inmate after all debts owed to the Department of Corrections is paid.

1.1.3.4 Boarders and safe keepers are exempt from the savings deduction.

1.1.3.5 Upon approval of the Director, charitable contributions to 501C3 organizations may be deducted.

1.2 Any checks, other than payroll, should be processed through the lockbox procedure as indicated in 258.06 of this regulation. Any monies that can not be processed through the lockbox procedure due to

circumstances beyond the department's control should be placed on a check log and posted to the inmate's PPF account as indicated in 258.07 of this regulation.

1.3 All money received on behalf of an inmate shall be deposited into the individual account in the PPF.

1.4 An inmate who receives money but does not deposit it into their individual account in the PPF as required in this section is guilty of a gross misdemeanor per NRS 209.221.

1.5 Any person who aids or encourages any inmate not to deposit all money, which the inmate receives into the individual account of the inmate in the PPF as, required in this section is guilty of a gross misdemeanor per NRS 209.221.

## **258.02 INMATE EMPLOYMENT**

1.1 No inmate has a right to employment and no obligation exists on the part of Nevada Department of Corrections to employ any inmate.

1.2 All applicants approved for inmate work programs must execute any agreement forms required by the specific program in which the inmate will work.

1.2.1 During intake, all inmates shall complete an Inmate Employment Fiscal Agreement, Form DOC-533.

1.2.2 The DOC-533 shall be completed in duplicate.

1.1.2.1 The pink copy shall be given to the inmate.

1.1.2.2 The white copy shall be placed in the inmate's Institutional file (I-file)

1.2.3 Regardless of the inmate's agreement to sign Form DOC-533, the Department is permitted to take deductions from an inmate's wages per NRS 209.461.

1.2.4 Prior to the first day of work, the classification committee shall verify that the inmate has been given the opportunity to review Form DOC-533.

1.2.5 Only one Form DOC-533 shall be completed during the inmate's incarceration period, unless the form is revised or the original Form DOC-533 cannot be located.

1.2.6 Inmates who refuse to sign Form DOC-533 cannot work in any private sector operation. Federal requirements include proof of voluntary participation and this form meets that requirement.

1.3 Inmates must be notified of all deductions that may be taken from their payroll prior to working.

1.3.1 Notification of Deductions shall be given to the inmate upon intake.

1.3.2 Notification of Deductions shall be posted with the Offenders' Store Fund Monthly Report in areas of the institutions accessible to inmates. **(3-4032, and 3-4044)**

1.3.3 Form DOC-533 shall note the statute number (NRS 209.463) authorizing the Department to take specific deductions.

1.4 An inmate shall obtain the approval of the Director/designee before the inmate:

1.4.1 Engages in any employment, which includes, but is not limited to, employment by a private employer or self-employment except in approved Prison Industries Programs.

1.4.2 Enters into a contract.

1.4.3 Participates in a business activity other than approved Prison Industries programs or Hobbycraft Program.

1.5 The Director/designee has sole discretion to approve or disapprove employment, contractual activity or business activity and may withdraw approval at any time pursuant to NRS 209.4615.

1.6 Any inmate who is employed by a private employer shall:

1.6.1 Deposit their income from such employment in their individual account in the Prisoners' Personal Property Fund.

1.6.2 Provide the Director/designee with a copy of all their federal income tax returns, reports and withholding forms when they become available to the inmate.

1.6.3 Upon request, provide the Director/designee with a record of any of their accounts including, but not limited to, a checking account, savings account, investment account or account with a brokerage firm.

1.7 Upon the request of the Director/designee, a private employer who employs any inmate shall:

1.7.1 Provide the Director/designee with monthly statements accounting for all wages the employer paid to any inmate.

1.7.2 Provide the Director/designee with any additional information requested concerning the employment of any inmate.

1.8 Inmates must sign a release allowing the employer to provide information to the Director/designee.

### **258.03 INMATE PAYROLL**

1.1 Inmate payrolls should be recorded by the second working day of the month, using the standard

Inmate Payroll Form, DOC-532, submitted monthly to Inmate Services and received by Inmate Services by the fifth working day of the month to allow for timely posting. **(3-4407)** Exceptions include:

1.1.1 Prison Industries (PI) has a variety of payroll periods consistent with individual operations. Forms to report individual payrolls will be developed by PI. Private sector industries' payroll will be included in this procedure. **(3-4408)**

1.1.2 Nevada Division of Forestry (NDF) has monthly payrolls but use their own forms and submit their payrolls during the middle of the month.

1.1.3 Any facilities or institutions operated by private contractors may use their own forms and submit their payrolls at various times of the month following the procedures and guidelines as set forth in the contract with Nevada Department of Corrections.

1.1.4 The Restitution Center has weekly and bi-weekly payrolls and are submitted on a check log, DOC-529 at various times of the month. **(3-4409)**

1.2 Inmate Services shall post the payroll as soon as possible after receipt.

1.2.1 The reporting period for all inmate payrolls, except as noted in 1.1.1, shall be from the first day of the previous month to the last day of the previous month.

1.2.2 Any inquiry an inmate has regarding their payroll shall be made using the Inmate Inquiries Form, DOC-544.

1.2.3 Inmate payrolls paid for with a personal check, business check, etc., shall not be posted until the check has cleared the bank. Clearing time can take up to ten working days from date of receipt of the payroll and check. The exception to this will be the Restitution Center payroll checks and any other payroll funded by a government entity (IFS, JVs or billing claims). These exceptions will be posted within one day of receipt.

1.2.4 Tracking of deposit receipts, billing claims or journal vouchers shall be completed daily with the State of Nevada Accounting System. **(3-4031, 3-4034, and 3-4045)**

1.2.5 Posting delays can occur which include, but are not limited to, incorrectly calculated payrolls, missing names or back numbers, or unauthorized payrolls. If any legitimate delay occurs, the payroll or check log shall be sent back to the originator for correction. Payroll and check logs should be given priority over all other posting.

## **258.04 INMATE DEDUCTIONS FROM WAGES**

1.1 The Director may make the following deductions, in order of priority as set forth within NRS 209.463 and in accordance with the federal regulations governing private sector involvement in Prison Industries. The Director shall designate the percentage taken for each deduction.

1.1.1 If the inmate's hourly wage is equal to or greater than the federal minimum wage:

- 1.1.1.1 An amount for the credit to the Victims of Crime Fund for the compensation of Victims of Crime.
- 1.1.1.2 An amount for any existing obligation of the inmate for the support of their family. Support orders shall be acted upon whether they are intra-jurisdiction or inter-jurisdiction (state, county or city of Nevada or other states).
- 1.1.1.3 An amount for credit to the Capital Improvement Fund for new construction of facilities for Prison Industries, but only if the inmate is employed through a program for Prison Industries.
- 1.1.1.4 An amount of each inmate's payroll to their individual account in the Prisoners' Personal Property Fund (PPF) or toward a court ordered filing fee, whichever is applicable.
- 1.1.1.5 An amount for room/board or room/board/transportation (restitution centers)/ therapeutic community program or after care program or both. Restitution Center inmates are exempt from room/board/transportation charges for the first ten (10) days unless the inmate is an in-house worker. **(3-4408, and 3-4409)**
- 1.1.1.6 An amount for costs incurred by the Department on behalf of the inmate per NRS 209.246.
- 1.1.1.7 An amount for credit to the inmate's non-interest bearing savings account up to a maximum balance, as determined by the Director, for the eventual release of the inmate or to defray costs incurred by the death of an inmate. **(3-4044)**
- 1.1.1.8 An amount for any existing obligation of the inmate to pay court ordered restitution to his/her victim. At the time the Judgment of Conviction is entered against the inmate account, a percentage of the balance on the inmate trust account, as designated by the Director, will be taken as the initial payment.
- 1.1.1.9 An amount to pay the balances of any fee imposed on the inmate for genetic marker testing, drug tests, or other fees per NRS 176.0915.
- 1.1.1.10 An amount for any existing obligation of the inmate for court ordered administrative assessments for any crime committed within this state. At the time the Judgment of Conviction is entered against the inmate account, a percentage of the balance on the inmate trust account, as designated by the Director, will be taken as the initial payment.

- 1.1.1.11 An amount for any existing obligation of the inmate for court ordered fines for any crime committed within this state. At the time the Judgment of Conviction is entered against the inmate account, a percentage of the balance on the inmate trust account, as designated by the Director, will be taken as the initial payment.
- 1.1.1.12 The Director/designee shall determine the priority, percentage or amount of any other deduction authorized by law from any monies received in the inmate's individual account in the PPF.
- 1.1.2 If the inmate's hourly wage is less than the federal minimum wage:
- 1.1.2.1 An amount for credit to the Victims of Crime Fund for the compensation of Victims of Crime.
- 1.1.2.2 An amount for credit to the Capital Improvement Fund for new construction of facilities for Prison Industries, but only if the inmate is employed through a program for Prison Industries.
- 1.1.2.3 An amount of inmates's payroll to their individual account in the PPF or toward a court-filing fee, whichever is applicable.
- 1.1.2.4 An amount for room/board or room/board/transportation (restitution centers)/therapeutic community program or after care program or both. **(3-4408, and 3-4409)**
- 1.1.2.5 An amount for costs incurred by the department on behalf of the inmate per NRS 209.246.
- 1.1.2.6 An amount to pay the balance of any fee imposed on the inmate for genetic marker testing, drug tests, or other fees per NRS 176.0915
- 1.1.2.7 An amount for credit to the inmate's non-interest bearing savings account up maximum balance, determined by the Director, for the eventual release of the inmate or to defray costs incurred by the death of the inmate.
- 1.1.2.8 Although there is no deduction for child support, support orders shall be acted upon whether they are intra-jurisdiction or inter-jurisdiction (state, county, city of Nevada or other states).
- 1.1.2.9 Although there is no deduction for amounts owed by an inmate as a result of a Judgment of Conviction, at the time the Judgment of Conviction is entered against the inmate's account, a percentage of the balance on the inmate trust account, as determined by the Director, will be taken as an initial payment.

- 1.1.2.10 The Director/designee shall determine the priority, percentage or amount of any other deduction authorized by law from any monies received in the inmate's individual account in the PPF.

## **258.05 INMATE DEDUCTIONS FROM ANY SOURCE OTHER THAN WAGES**

1.1 The Director may make the following deductions, in the following order of priority, as set forth in NRS 209.247, from any money deposited in the individual account of an inmate from any source other than wages.

1.1.1 An amount for costs incurred by the department on behalf of the inmate per NRS 209.246.

1.1.2 An amount for credit to the inmate's non-interest bearing savings account up to a maximum balance, determined by the Director, for the eventual release of the inmate or to defray costs incurred by the death of the inmate.

1.1.3 Although there is no deduction for child support, support orders shall be acted upon, whether they are intra-jurisdiction or inter-jurisdiction (state, county or city of Nevada or other states.

1.1.4 Although there is no deduction for amounts owed by the inmate as a result of a Judgment of Conviction, at the time the Judgment of Conviction is entered against the inmate account, a percentage of the balance on the inmate trust account, as designated by the Director, will be taken as the initial payment.

1.1.5 The Director/designee shall determine the priority, percentage or amount of any other deduction authorized by law from any monies received in the inmate's individual account in the PPF.

1.2 The Director shall not make any deductions from the individual PPF account of an inmate if the balance in the PPF account is below the minimum balance designated by the Director pursuant to this subsection. The Director shall designate the minimum balance of the PPF account of an inmate required before such other deductions or withdrawals from the PPF account may be made by the Director or the inmate.

1.3 The Director may, if appropriate, transmit a deduction made pursuant to NRS 209.463 and 258.02 and 258.03 of this regulation directly to the person, entity or fund for which the deduction was made.

## **258.06 INMATE DEPOSITS**

1.1 Deposits to inmates' accounts should be made through the Lockbox procedure when applicable.

1.1.1 The institution/facility designee shall order Lockbox coupons from Inmate Services, who in turn

will order the coupons from the Prison Industries Bookbindery at the Nevada State Prison. The Bookbindery will ship the orders to the applicable institution/facility and bill Inmate Services

1.1.1.1 Coupons shall be printed with the number designated for the specific institution/camp/restitution center.

1.1.2 The institution/camp/restitution designee shall distribute the coupons to the inmates.

1.1.3 The inmates shall send the coupons to friends and relatives of their choice.

1.1.4 Coupons may also be obtained by family or friends through the Department of Corrections Internet website.

1.1.5 The friend/relative (sender) shall fill out the coupon in its entirety and send the coupon with the money order or cashier's check to the bank address indicated on the coupon.

1.1.6. The bank will send the coupons and a log listing all deposits to Inmate Services daily.

1.1.7 Inmate Services shall post the deposits to the inmate's accounts retaining the coupon for accounting records.

1.1.8 The inmate's receipt of deposit shall be printed at and distributed from the institutional store.

1.2 Deposits to inmates' accounts can also may be made through an approved electronic transfer vendor.

## **258.07 INMATE DEPOSIT EXCEPTIONS**

1.1 Inmate Check Logs, DOC-529 shall be considered negotiable instruments and shall be completed and processed with the same security precautions as cash.

1.2 Check Log forms shall be considered negotiable instruments and maintained in a locked security controlled area.

1.3 Inmates shall never have access to Check Log forms.

1.4 The only inmate funds to be accepted by any institution/facility or Inmate Service's staff are money orders and cashier checks. Cash, personal checks and other money forms shall be returned to the sender. Exceptions to these are:

1.4.1 Internal Revenue Service Checks (IRS)—These checks shall be accepted, however, the check will not be deposited at any institution that makes their own deposits. All IRS checks shall be forwarded to Inmate Services where the check will be held upon verification with the IRS as to valid funds. If the IRS will not validate the check, the check shall be returned to the IRS.

1.4.2 Restitution Center payroll checks.

1.4.3 Intake monies from newly incarcerated inmates—Each institution shall develop procedures which addresses proper receipt of monies from the transporting authority and receiving officer, an audible trail fixing responsibility at each point of transfer, and maintenance of records of all transactions involving newly incarcerated inmate's monies.

1.4.3.1 Intake personnel shall take possession of all cash, checks, money orders, travelers' checks, or other negotiable instruments.

1.4.3.2 A receipt shall be issued from a two (2)-part receipt book. One white copy of the receipt will be given to the inmate and the remaining copy will remain in the receipt book.

1.4.3.3 Central Transportation shall record on the Inmate Check/Cash Log, DOC-529 the inmate number, amount, check number, inmate name, and from where the inmate was received. The receipt number given to the inmate should also be placed in the received from column. Only one day's activity is to be recorded on the check/cash log. If the inmate has both cash and negotiable instruments to be recorded, separate lines for each one will be used.

1.4.3.4 The check log shall be totaled, signed by both custody personnel and delivered to Inmate Services for deposit within a twenty four (24) hour period, excluding weekends and holidays. On weekends and/or holidays, the daily activity will be properly secured as required by the institution's procedures.

1.4.3.5 Inmate Services shall verify the totals on the check/cash log and receipt for the monies received. Inmate Services shall prepare the monies for deposit.

1.4.3.6 The transportation officers in the Eastern and Southern institutions shall follow the above procedures, however, the check/cash log shall be delivered to the institution accounting office, which shall verify, receipt and deposit the monies.

1.4.3.7 Except for inmates at the Restitution Center, no inmate is permitted to have cash in their possession during incarceration.

1.4.3.8 Any variation to the above procedures requires written approval of the Director, Assistant Director of Support Services, or the Assistant Director of Operations.

1.4.4 Any funds, due the inmate, that is beyond the control of the Department and cannot be processed through the Lockbox procedure.

1.4.5 Confiscated cash found on an inmate is to be placed on a separate Check Log, Form DOC-529, deposited in the bank and the proper documents forwarded to Inmate Services who will place the amount in the Inmate Welfare Fund. The Check Log Form must clearly state Confiscated Cash.

1.4.6 Cash confiscated as a result of suspected criminal activity is to be forwarded to the Inspector General's Office. Before forwarding this type of confiscated cash, contact the IG for instructions on how to proceed.

1.4.7 Funds received from a money transfer vendor ( i.e. Western Union).

1.5 The mail officer at each institution shall return to the sender, the same day, all unauthorized funds.

1.6 Preparation of check logs is a function of the designated receiver.

1.7 All Check Logs shall be forwarded to Inmate Services daily for processing. Inmate Services shall post the monies to the inmate's individual account in the PPF.

## **258.08 TRANSFER OF INMATE FUNDS**

1.1 No funds may be transferred from one inmate to another regardless of whether the inmates are located in state, out of state, or closely related, without the approval of the Director/designee. **(3-4047)**

1.2 All Inmate Account Transaction Requests (brass slips), Form DOC-509, shall be approved by the warden, facility manager, or their designee.

1.2.1 A list of all personnel and samples of their signatures, authorized by the warden to review and approve Inmate Account Transaction Requests shall be sent to Inmate Services.

1.2.2 The signature list shall be updated whenever a change of personnel occurs. Updated authorized signature lists approved by the warden/manager or designee shall be forwarded to Inmate Services as often as the list is updated.

1.2.3 The warden shall sign the list indicating his or her approval of the authorized signatures.

1.2.4 Inmate Services shall compare signatures of brass slips against the authorized signature list before processing.

1.2.5 Brass slips, which do not appear to be signed by an authorized signature, will not be honored and will be returned to the warden by Inmate Services.

1.2.6 Internal procedures for Inmate Services contain a number of additional confidential safeguards for the handling of brass slips and are changed periodically as needed.

1.3 Except for department restitution, store orders, and medical/dental co-payments, the inmate shall prepare the necessary Inmate Account Transaction Request (brass slip), Form DOC-509 for each deduction from his/her PPF account.

1.4 All brass slips submitted to Central Office shall conform to the following:

1.4.1 Inmates initiate brass slips by completing the brass slip in its entirety, including date, dollar amount, payee or purpose, signature, printed name, ID number (back number) and institution.

1.4.1.1 A stamped addressed envelope shall be attached to all brass slips for checks to the outside.

1.4.2 The inmate shall submit the brass slip to an approving authority that can authenticate the signature is that of the inmate.

1.4.3 If the signature can be authenticated, the brass slip is fully completed, and the transaction is legitimate, the approving authority shall sign the brass slip.

1.4.4 All brass slips shall be accumulated daily, with exception of restitution centers, and forwarded to the warden, facility manager, or their designee, who will review the brass slips for approval or disapproval.

1.4.4.1 Any disapproved brass slips shall be returned to the inmate.

1.4.4.2 All approvals shall be forwarded to the attention of the Inmate Services with a cover letter signed by the approving authority indicating the attached brass slips have been reviewed and approved.

## **258.09 RELEASE ASSISTANCE/TRANSPORTATION EXPENSES**

1.1 The Director, in accordance with NRS 209.511, may furnish inmates being released by expiration of sentence, pardon or parole with a sum of money not to exceed \$100.00 based upon the inmate's economic need. The cost of transportation may also be provided.

1.1.1 No release assistance funds (gate checks) shall be given to any inmate paroling or expiring to a detainer or hold.

1.1.2 No money shall be given for clothing allowance.

1.1.3 Parole violators incarcerated for a period of less than 30 days or inmates in custody for other jurisdictions shall not receive a gate check unless specifically approved by the Director.

1.1.4 Boot Camp detainees receive no gate checks but shall receive balance of PPF account, if applicable.

1.2 Inmate release checks, gate checks, and transportation purchase orders are prepared at the Central Administration office in Inmate Services Division.

1.3 No monies in any format (cash, PPF check, gate check, or any other financial document) shall be drafted, issued or distributed by any inmate. No inmate assigned the prison job of clerk; administrative aide or assistant to any free staff shall have access to any monies, checks or financial instruments.

1.4 All monies, checks or any other negotiable instruments shall be drafted, issued or distributed by authorized free staff only. Department staff shall maintain all monies, checks, and negotiable instruments in a locked, secure vault, safe or stationary metal cabinet. All keys and/or lock combination numbers must be inaccessible to all inmates. **(3-4033)**

1.4.1 No staff with authorization to sign bank checks or any other negotiable instruments are to pre-sign blank checks intended for future use. All checks or other negotiable instruments are to be signed by authorized staff only after completion of the financial document.

1.5 Prior to the release of an inmate, a notification of release, Form DOC-563 shall be completed by the pre-release coordinator. This form will indicate the inmate's name, Department number, destination, date of release and forwarding address.

1.5.1 Release forms should be issued ten (10) days prior to the release date to assure sufficient time to process paperwork. **(3-4393)**

1.5.2 Emergency releases shall be handled the same as ordinary releases except they will be handled expeditiously.

1.5.3 Forwarding addresses are essential in order to forward any money that the inmate may receive after his release, particularly payrolls posted after release.

1.5.4 Attached to the release form will be a brass slip signed by the inmate indicating release and closure of his account. This brass slip will be used as a posting document and will facilitate later referencing, if necessary.

1.5.5 Inmates shall sign a document agreeing that all release assistance and/or transportation costs incurred by the released inmate may be collected from funds deposited to the inmate's accounts after release.

1.5.6 The Pre-release Coordinator should notify Inmate Services ten (10) working days prior to release or parole. Inmate Services shall freeze the inmate's account upon notification from

the Pre-release Coordinator. The pre-release coordinator shall forward all release paperwork to Inmate Services daily to assure proper forwarding addresses.

1.5.7 The intent of Form DOC-563 is to give all monies due to the inmate at the time of their release. However, there shall be no pre-posting of anticipated monies.

1.5.8 It is also the intent of the Department not to give gate money or pay transportation expenses if an inmate has sufficient funds of his/her own.

1.6 A stores requisition shall be issued by the releasing institution for a non-refundable bus ticket, or other transportation as needed based on medical or economical considerations to the destination indicated.

1.6.1 Determination of the destination and mode of transportation shall be made by the Warden/designee based on economical considerations and the best interests of the state. Air travel (commercial only-no chartered flights) shall be used only in medical situations and upon presentation of written justification and recommendation by the Medical Director.

1.6.2. The release coordinator shall call Inmate Services with the release.

1.6.2.1 Inmate Services shall assign a PO number.

1.6.2.2 The designated institutional staff member shall sign the stores requisition for transportation costs.

1.7 The stores requisition, PO number, Notification of Release, Form DOC-563 form with the appropriate paperwork as stated in 258.09, 1.5 shall be forwarded to Inmate Services.

1.7.1 In calculating inmate funds, all charges owed the Department, including restitution charges, shall be subtracted, giving the inmate a net balance.

1.7.2 Travel per diem (gate check) is designated by the Director. The amount of per diem is calculated by the number of days the inmate will be traveling. In calculating the travel days use the following guidelines:

Within Nevada	- 1 day
By Air	- 1 day
West Coast	- 2 days
Mid-West	- 3 days
East Coast	- 4 days

1.7.3 If an inmate does not require transportation (inmate is picked up by family or friends upon release) and has insufficient funds of his/her own, the gate check shall be issued according to the guidelines as stated in 1.7.2.

1.8 Checks shall be issued by Inmate Services staff as follows:

1.8.1 PPF Check – For any balance due the inmate including savings.

1.8.2 Revolving Fund Check – For any necessary gate check.

1.9 Inmate Services shall post all release, gate checks, and transportation costs to the inmate's account the day the checks are written.

## **258.10 BALANCES IN ACCOUNTS OF RELEASED INMATES**

1.1 It is the policy of the Department of Corrections to utilize every method possible to locate released inmates who have balances on their accounts.

1.2 Payroll monies and checks from the outside may be received after the inmate is released, resulting in a balance in the account due and payable to the inmate or, on occasion, a negative balance to the inmate's account may occur.

1.3 Whenever a released inmate has a balance in their account, either negative or positive, all efforts shall be made to contact the inmate by Inmate Services.

1.3.1 If the account has a positive balance, a check shall be written by Inmate Services to the inmate when a good forwarding address has been established.

1.3.2 If the account has a negative balance, every effort shall be made by Inmate Services to contact the inmate and collect the money due.

1.3.2.1 The inmate shall be given notice prior to release that any balances owed to the Department of Corrections at the time of release is a valid debt due and payable in full at the time of release.

1.3.2.2 An Advisement of Debts Owing To The Department of Corrections, Form DOC-540) shall be given to inmate's upon intake. This advisement must disclose the inmate of the possibility of a negative impact on the inmate's credit history if not paid. This form shall be placed in the inmate's "I" file.

1.3.2.3 The Notification of Debts Owing To The Department of Corrections, Form DOC-541 shall be used by the Release Coordinator prior to release to advise the inmate of amounts owed. This notification must also advise the inmate of the possibility of a negative impact on the inmate's credit history if not paid.

1.3.2.4 A Notification of Deductions, Form DOC-542) shall be posted monthly with the Budget Status Report in locations accessible by all inmates.

1.3.2.5 Inmates shall be given a designated time frame to pay the amount owed to the Department of Corrections after release. If not paid within this time frame, the amount owed shall be turned over to the State Controller's Office. The State Controller's Office may turn the amount owed over to a contracted Collection Agency.

1.3.3 If the negative balance resulted in a late posting from the inmate store, the amount of the negative balance shall be charged back to store sales and again credited to store sales if the money is recovered. The individual storekeeper involved will be advised by Inmate Services of this action.

1.3.4 Balances owed by inmates in their Department Charge and/or Department 2 (Dept2) Account shall be paid from the Inmate Welfare Fund by Inmate Services to the appropriate budget. The Inmate Welfare Fund shall be reimbursed when the money is collected from the inmate or the contracted Collection Agency, whichever is applicable.

1.3.5 Under no circumstances shall a negative balance be permitted to remain on any released inmate's Trust account for a period exceeding 90 days. This negative balance shall be considered a bad debt and will be processed by Inmate Services as such.

1.3.6 When an inmate is released owing Departmental Charges and/or Department Restitution, the charges and/or amount owing shall not be deleted from the account. If the inmate returns to the Department under a new ID number, the amount owing shall be transferred to the new number.

1.3.7 If the amount owed is considered to be non-collectible, Inmate Services shall consider this to be a bad debt and delete the amount from the inmate's Department Charge and/or Department 2 Account, whichever is applicable.

1.3.8 If all attempts to forward monies remaining on a released inmate's Trust account, the monies shall remain on the account for one year. After one year, the monies shall be forwarded to the Unclaimed Property Division.

## **REFERENCES**

ACA Standards 3-4031, 3-4032, 3-4033, 3-4034, 3-4044, 3-4045, 3-4047, 3-4393, 3-4407, 3-4408, and 3-4409

## **ATTACHMENTS**

DOC-509 -- Inmate Account Transaction Request (Brass Slip)  
DOC-529 -- Inmate Check/Cash Log

DOC-532 -- Inmate Payroll Form  
DOC-533 -- Inmate Employment Fiscal Agreement  
DOC-534 -- Inmate Deposit Coupon  
DOC-540 – Advisement of Debts Owed to the Department of Corrections  
DOC-541—Notification of Debts Owed to the Department of Corrections  
DOC-542—Notification of Deductions  
DOC-544 – Inmate Inquiries Form (Kite)  
DOC-563 – Notification of Release Form

\_\_\_\_\_  
Jackie Crawford, Director

\_\_\_\_\_  
Date

**CONFIDENTIAL**                                XX  
                                 Yes                      No

**THIS PROCEDURE SUPERSEDES ALL PRIOR WRITTEN PROCEDURES ON THIS SPECIFIC SUBJECT.**